

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MINNIE SWIFT

PLAINTIFF

VS.

CIVIL ACTION NO. 4:03-CV-00415-WAP-EMB

BAYER CORPORATION

DEFENDANT

ORDER

THIS CAUSE having come before the Court this date on Defendant Bayer Corporation's Motion to Dismiss pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and the Court having reviewed and considered same, and further being advised that the plaintiff, Minnie Swift, has failed to either notify the Court in writing of her intent to proceed *pro se* or file a notice of appearance of new counsel to prosecute her claim in this matter either on or before September 26, 2006 or to date, and being otherwise fully advised in the premises, this Court finds that Defendant's aforesaid Motion to Dismiss is well taken and should be granted.

IT IS, THEREFORE, ORDERED and ADJUDGED that Defendant Bayer Corporation's Motion to Dismiss shall be, and the same is hereby, GRANTED.

IT IS, FURTHER, ORDERED AND ADJUDGED that Plaintiff Minnie Swift's Amended Complaint shall be, and is hereby, dismissed with prejudice, with the parties to bear their respective costs.

SO ORDERED AND ADJUDGED, this the 13th day of March, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE

Submitted by:

s/s Randolph C. Wood
Randolph C. Wood, MSB # 7369
Attorney for Defendant Bayer Corporation

Watkins & Eager PLLC